

A FAIRE WARNING,

To take heed of the

SCOTISH DISCIPLINE,

As being of all others most injurious to the civill
Magistrate, most oppressive to the sub-
ject, most pernicious to both.

Luke 5. 39. *No man having drunke old wine straight way de-
sireth new, for he saith the old is better.*

Hof: 2. 7. *I will goe and returne to my first husband, for then
was it better with me then now.*



*Sent me by the
Author Joh:
Dun*

Printed in the yeare 1649.

A FAIR WARNING

To take heed of his

SCOTTISH DISCIPLINE

As being of all others most injurious to the civil
Magistrate, most oppressive to the sub-
ject, most pernicious to both.

It is a well known thing, that the more
the more, for the sake of the
Holl. 2. 7. I wish you may return to my first opinion, for the
more it better will we be in now.



Printed in the year 1649.

A FAIR WARNING,

To take heed of the Scotch discipline, as being of all others most Injurious to the civill Magistrate, most oppressive to the Subject, most pernicious to both.

CHAP. I.

The occasion and Subject of this Treatise.

IF the disciplinarians in Scotland could rest contented to dore upon their own inventions, and magnifie at home that *Diana* which themselves have canonised, I should leave them to the best School-Mastresse, that is Experience, to feel where their shoe wrings them, and to purchase Repentance. What have I to do with the reglement of forraign Churches, to burn mine own fingers with snuffing other mens Candles? Let them stand or fall to their own Master. It is charity to judge well of others, and piety to look well to our selves.

But to see those very men who plead so vehemently against all kinds of tyranny, attempt to obtrude their own dreams not only upon their fellow-Subjects, but upon their Sovereign himself, contrary to the dictates of his own conscience, contrary to all Lawes of God and Man, Yea to compell forraign Churches to dauce after their pipe, to worship that counterfeit image which they feign to have fallen down from *Jupiter*, and by force of armes to turn their neighbours out of a possession of above 1400 years, to make room for their Troian horse of Ecclesiasticall discipline, (A practise never justified in the world but either by the Turk or by the Pope) This puts us upon the defensive part. They must not think that other men are so cowed or grown so tame, as to stand still blowing of their noses, whilst they bridle them and ride them at their pleasure. It is time to let the world see that this discipline which they so much adore, is the very quintessence of refined Popery, or a greater tyranny then ever *Rome* brought forth, inconsistent with all forms of civill government, destructive to all sorts of Policy, a rack to the conscience, the heaviest pressure that can

fall upon a people, and so much more dangerous, because by the specious pretence of divine institution, it takes away the sight, but not the burden of slavery. Have patience Reader and I shall discover unto the more pride and arrogancie through the holes of a threedbare coat, then was ever found under a Cardinals cap or a triple crown. All this I undertake to demonstrate not by some extraordinary practises justified only by the pretence of invincible necessity, (a weak patrociny for generall doctrine,) nor by the single opinions of some Capricious fellowes, but by their books of discipline, by the acts of their generall and provinciaall Assemblies, by the concurrent votes and writings of their Commissioners.

I foresee that they will suggest that through their sides I seek to wound forraign Churches. No there is nothing which I shall convict them of here, but I hope will be disavowed, though not by all protestant auctors, yet by all the protestant Churches in the world. But I must take leave to demand of our disciplinarians who it is they brand with the odious name of *Erastrians*, in the Acts of their Parliaments and Assemblies, and in the writings of their Commissioners, and reckon them with Papiests, Anabaptists, and Independents; Is it those Churches who disarm their Presbyteries of the Sword of Excommunication which they are not able to weeld? so did *Erastrus*; or is it those who attribute a much greater power to the Christian magistrate in the managery of Ecclesiasticall affaires then themselves? So did *Erastrus*, and so do all Protestant Churches. The Disciplinarians will sooner endure a Bishop or a Superintendent to govern them, then the civill Magistrate. And when the Magistrate shall be rightly informed what a dangerous edge tooke their discipline is, he will ten times sooner admit of a moderate Episcopacy, then fall into the hands of such huckiters.

If it were not for this disciplinarian humour, which will admitte no latitude in Religion, but makes each nicety a fundamentall, and every private opinion an Article of faith, which preferres particular errors before generall truths, I doubt not but all reformed Churches might easily be reconciled. Before these unhappy troubles in England, all Protestants both Lutherans and Calvinists did give unto the English Church the right hand of fellowship the Disciplinarians themselves though they preferred their owne church as more pure, (els they were hard hearted) yet they did not, they durst not condemne the church of England, either as defective in any necessary point of Christian piety, or redundant in any thing that might virtually or by consequence overthrow the foundation.

Witnesse that letter which their Generall Assembly of Superintendents Pastours and Elders sent by Mr. John Knoxe to the English Bishops, wherein they stile them Reverend Pastors, fellowpreachers, and jointe opposers of the Roman Antichrist. They themselves were then farre from a party, or from making the calling of Bishoppes to be Antichristian.

But

Syn: Gen:
1647.
Declar: Parl:
1648.
&c.

Gen: 556

But to leave these velitations and come home to the point. I will shewe first how this discipline entrencheth most extremely upon the right of the civill Magistrate, secondly that it is as grievous and intollerable to the subject.

CHAP. II.

That this new discipline doth utterly overthrowe the rights of Magistrates, to convocate Synods, to confirme their acts, to order Ecclesiasticall affaires, and reforme the Church within their Dominions.

ALl Princes and States invested with Sovereignery of power doe justly challenge to themselves the right of convocating *Nationall Synodes* of their owne subjects, and ratifyinge their constitutions.

And although pious princes may tolerate or privelege the Church to convene within their territories annually or triennially, for the exercise of discipline, and execution of constitutions all ready confirmed, (never the lesse we see how wary the Synod of Dorte was in this particular,) yet he is a Magistrate of straw, that will permitte the Church to convene within his territories, whensoever, wheresoever they list, to convocate before them whomsoever they please, all the Noblesse, all the Subjects of the Kingdome, to change the whole Ecclesiasticall pollicy of a common wealth, to alter the doctrine and religion established, to take away the legall rights and privileges of the Subjects, to erect new tribunalls and courts of justice, to which Soveraignes themselves must submitte, and all this of their owne heads, by virtue of a pretended power given them from heaven, contrary to knowne lawes and lawfull customes, the Supreme Magistrate dissenting and disclaiming. *Synods ought to be called by the supreme Magistrate if he be a Christian, &c. And either by himself, or by such as he shall please to choose for that purpose, he ought to preside over them.* This power the Emperors of old did challenge over Generall Councells, Christian Monarchs in the blindness of popery over Nationall Synods, the Kings of England over their great Councells of old, and their convocations of later times. The *Estates* of the united provinces in the *Synod of Dorte*, this power neither Roman

Can: 50.

Ench: cand:
S: min: ex
decreto fal:
The: Edit
Gron: 1645.
p: 161.

Catholicke nor protestant in France dare denie to his King. None have bene more punctuall in this case then the State of Geneva, where it is expressly provided, that *noe Synod or presbytery shall alter the Ecclesiasticall policy, or adde any thing to it, without the consent of the civill Magistrate.* Their elders do not challenge an uncontrollable power as the Commissioners of Christ, but are still called *the Commissioners of the Seigniorie.* The lesser Councell names them with the advise of the ministry, (their consent is not necessary.) The great Councell of 200 doth approue them or reject them. At the end of the yeare they are presented to the Seigniorie, who continue them or discharge them as they see cause. At their admission they take an oath, to *keepe the Ecclesiasticall ordinances of the civill Magistrate.* The finall determination of doctrinall differences in religion, (after conference of, and with the Ecclesiasticks,) is referred to the Magistrate. The proclamations published with the sound of trumpett, registred in the same booke, doe plainly shew that the ordering of all Ecclesiasticall affaires is assumed by the Seigniorie.

But in Scotland all things are quite contrary, the civill Magistrate hath no more to doe with the placing or displacing of Ecclesiasticall Elders, then hee hath in the Electorall College, about the Election of an Emperor. The King hath noe more legislative power in Ecclesiasticall causes, then a cobbler, that is a single vote in case he be chosen an elder, otherwise none at all. In Scotland Ecclesiasticall persons make, repeall, alter their sanctions every day, without consent of King or Councell. King James proclaimed a Parliament to be held at Edinburgh, and a little before by his letter required the Assemblie to abstain from making any Innovations in the Policy of the Church, and from prejudging the decisions of the States by their conclusions, and to suffer all things to continue in the condition they were, untill the approaching Parliament. What did they hereupon? They neglected the Kings letter, By their own Authority they determined, all things positively, questioned the Arch-Bishop of Saint Andrews upon their own canons, *For collating to benefices, and Voting in Parliament,* according to the undoubted Lawes of the Land, Yea to that degree of lawcinesse they arrived, and into that contempt they reduced Sovereign power, that 20 Presbyters (no more at the highest, sometimes but 13, sometimes but 7 or 8.) dared to hold and maintain a Generall Assembly, (as they miscalled it,) after it was discharged by the King, against his Authority. An insolence which never any Parliament durst yet attempt.

By their own Authority, long before there was any statute made to that purpose, they abolished all the festivalls of the Church, even those which were observed in memory of the Birch, Circumcision, Resurrection and Ascension of our Saviour.

By their own Authority they decreed the abolition of Bishops, requiring

Les ordi:
Ecclef: prin-
ted at Gene-
va 1562.
pag. 66.

p: 20.

p: 9.

p: 11.

Octob: 20.
1579.

Assemb: Ab-
berd: 1606.

First booke
life: first
head.

ing them to resign their offices, as not having any calling from Gods word, under pain of Excommunication. And to desist from preaching untill they had a new admission from the Generall Assembly. And to compleat their own folly added; further, that they would dispose of their possessions as the Churches parsonage in the next Assembly, which ridiculous ordinance was maintained stiffly by the succeeding Synods, notwithstanding the Statute, that it should be treason to impugn the Authority of the three Estates, or to procure the innovation or diminution of any of them. Which was made on purpose to controll their vain presumption. Notwithstanding that themselves had formerly approved, and as much as in them lay established Superintendents, to endure for term of life, with their numbers, bounds, salaries larger then those of other Ministers, indewed with Episcopall power, to plant Churches, ordain Ministers, assign stipends, preside in Synods, direct the censures of the Church, without whom there was no Excommunication. The world is much mistaken concerning Episcopacy in Scotland, for though the King and Parliament were compelled by the clamours and impetuous violence of the Presbyters to annex the temporalities of Bishops to the crown, yet the Function it self was never taken away in Scotland, from their first conversion to Christianity, untill these unhappy troubles. And these very temporalities were restored by the Act of restitution, and their full power was first established Synodically, and afterwards confirmed by the three Estates of the Kingdom in Parliament.

By their owne authority when they see they could not prevaile with all their iterated indowments and attempts to have their booke of discipline ratified, they obtruded it upon the Church themselves, ordaining that all those who had borne or did then beare any office in the Church should subscribe it, under paine of excommunication.

By their owne authority or rather by the like unwarrantable boldnesse they adopted themselves to be heires of the prelates & other dignitaries, and orders of the Church suppressed by their tumultuous violence, and decreed that all rents rents lands oblations, yea whatsoever had bene given in former times or should be given in future times to the service of God was the parsonage of the Church and ought to be collected and distributed by the Deacons as the word of God appoints. That to convert any of this to the particular or profane use of any person is detestable Sacrilege before God. And Elsewhere Gentlemen Barons Barles Lords and others must be content to live upon their just rents, and suffer the Kirke to be restored to her liberty. What this liberty is followes in the same place; all things given in hospitality, all rents pertaining to priests, Chanceries, colleges, Chappellries, frieries of all orders, the Sisters of the Seenes all which ought to be retained still in the use of the Kirke. Give them but leave to take their breath and expect the rest. The whole revenues of the temporalities of Bishops, Donnes and Arch donnes lands, and all rents pertaining to cathedrall Kirkes. Then supposing an objection, that the Possessors had

Assen: Dum-
dec 1580.

Parl: 1584.

First booke
discip: 4.
and 6. heads

An: 203.

1606.
As: Glasg:
1610.
Parl: Edenb:
1612.

As: Edenb:
1590.

2. Book: disc:
ch: 9.

1 Book
disc: 6. head.

ibid.

ibid:

ibid.

Ad: Edinb:
1647.

had leases and Estates, they answer That those who made them were theeves and usurers and had no power so to alienate the common Good of the Kirke. They desire that all such estates may be annulled and avoided, that all collectors appointed by the King or others may be discharged from intermeddling therewith, and the Deacons permitted to collect the same yea so that height of madnesse were they come, as to define and determine in their Assembly, (judg whether it be not a modest constitution for a Synod.) That the next Parliament the Church should be fully restored to its Patrimony, and that nothing should be past in Parliament untill that was first considered and approved. Let all Estates take notice of these praetensions and designs. If their project have not yet taken effect, it is onely because they wanted sufficient strength hither to to accomplish it.

Ad: Glasg:
1581.Ad: Edinb:
1590.Ad: Edinb:
1591.

Lastly by their own authority, under the specious title of Iesus Christ, king of kings and Lord of lords, the only Monarch of his Church, & under pretence of his prerogative Royall, they erected their own courts and Presbyteries in the most parts of Scotland, long before they were legally approved or received; as appeareth by their own Act, alleaging that many suites had been made to the Magistrate for approbation of the Policy of the kirk, which had not taken that happy effect which good men would crave: And by another Act acknowledging that Presbyteries were then established (Synodically) in most parts of the kingdom. And lastly by the act of another Generall Assembly at Edinburgh, ordaining that the discipline contained in the acts of the Generall Assembly should be kept, as well in Angus and Mermis, as in the rest of the kingdom.

You see sufficiently in point of practise how the Disciplinarians have trampled upon the Lawes, and justled the civill Magistrate out of his Supremacy in Ecclesiasticall affaires. My next task shall be to shew that this proceeds not from inanimadvertence or passion, but from their doctrine and principles.

1.
2. Book disc:
Chap: 7.

2.

First, they teach that no persons, Magistrates nor others, have power to vote in their Synods, but only Ecclesiasticall.

Chap: 12.

Secondly, they teach that Ecclesiasticall persons have the sole power of conveneing and convocating such Assemblies. All Ecclesiasticall Assemblies have power to convene lawfully together, for treating of things concerning the kirk. They have power to appoint times and places. Again, Nationall Assemblies of this Countrey ought alwayes to be retained in their own liberties, with power to the kirk to appoint times and places. Thus they make it a Libertie, that is a priviledge of the Church, a part of its Patrimony, not only to convene, but to convocate, whomsoever, whensoever, where soever.

3.
Ad: Edinb:
1570.

Thirdly for point of power, they teach that Synods have the judgement of true and false Religion, of doctrine, Heresies, &c. the election, admission, suspension, deprivation of Ministers, the determination of all things that pertain to the discipline of the Church. The judgement of Ecclesiasticall matters, causes, benefices, matrimoniall and

and others. Jurisdiction to proceed to excommunication against those that robbe the Church of its patrimony. They have legislative power to make rules and constitutions for keeping good order in the kirke. They have power to abrogate and abolish all statutes and ordinances concerning Ecclesiasticall matters, that are found noisome and unprofitable, and agree not with the time; or are abused by the People. And all this without any reclamation, or appellation to any judge, Civill or Ecclesiasticall.

2 Book disc:
Ch: 7.

Ch: 12.

Fourthly, they teach that they have these privileges not from the Magistrate or People, or particular Lawes of any one countrey. The Magistrate can not execute the censures of the Church, nor prescribe any rule how it should be done, but Ecclesiasticall power floweth immediately from God, and from the Mediator Iesus Christ. And yet further, The Church cannot be governed by others; then those Ministers and Stewards set over it by Christ, nor otherwise then by his Lawes. And therefore there is no power in earth that can challenge to it self a Command or Dominion upon the Church. And again, It is prohibited by the Law of God and of Christ, for the Christian Magistrate to invade the Government of the Church, and consequently to challenge to himself the right of both Swords spirituall and temporall. And if any Magistrate do arrogate so much to himself, the Church shall have cause to complain and exclaim, that the Pope is changed, but the Papacy remaines. So if Kings and Magistrates stand in their way, they are politicall Popes, as well as Bishops are Ecclesiasticall. Whatsoever these men do, is in the Name of our Lord Iesus; and by Authority delegated from him alone.

2 Book disc:
ch: 1.

Theoremata
III imp: E-
denb: 1647.
decreto Sy-
nodi Theor.

4.
Theor 8:1.

Theor: 62.

Lastly, they teach that they have all this power, not only without the Magistrate, but against the Magistrate, that is although he dissent, and send out his prohibitions to the contrary; Parliamentary ratifications can no way alter Church canons concerning the worship of God. For Ecclesiasticall discipline ought to be exercised, whether it be ratified by the civill Magistrate, or not. The want of a civill Sanction to the Church, is but like *Lucrum cessans, non damnum emergens*. As it addes nothing to it, so it takes nothing away from it. If there be any clashing of Jurisdictions, or defect in this kind, they lay the fault at the Magistrates dore. It is a great signe or wickednesse, for the Magistrate to hinder the exercise, or execution of Ecclesiasticall discipline.

Information
from Scot-
land p: 19.

Theor: 98.

Theor: 32.

Now we have seen the pernicious practises of their Synods, with the doctrines from which they flow, it remaines to dispell umbrages, where-with they seek to hide the ugliness of their proceedings and principles from the eyes of the world. We say they do give the Christian Magistrate a politicall power to convocate Synods, to preside in Synods, to ratifie the Acts of Synods, to reforme the Church. We make him the keeper of both tables. Take nothing and hold it fast, here are good words, but they signify nothing. Trust me whatsoever the Disciplinarians do give to the Magistrate, it is allwaies with a saving of their owne stakes, not gi-

Theor. 96.

ven for his advantage, but their own. For they teach that this power of the Christian Magistrate is not privative and destructive to the power of the Church, but cumulative, and only auxiliary or assisting.

Besides the power which they call abusively authoritative, but is indeed ministeriall, of executing their decrees, and contributing to their settlement, they ascribe to the Magistrate concerning the Acts of Synods that which every private man hath, a judgment of *discretion*, but they reserve to themselves the judgment of *jurisdiction*. And if he judg not as they would have him, but suspend out of conscience the influence of his political power, where they would have him exercise it, they will either reach him another point of Popery, that is an implicate faith, or he may perchance feel the weight of their Church censures, and find quickly what manner of men they be; as our late Gracious King Charles, and before him his father, his grand-mother, and his great grand-mother did all to their cost.

Theor. 90.
51.

Then in plaine English what is this political power to call Synods, to preside in Synods, and to ratify Synods, which these good men give to the Magistrate; and magnifie so much? I shall tell the truth. It is a duty which the Magistrate owes to the Kirke, when they thinke necessary to have a Synod convoked, to strengthen their summons by a civill sanction, to secure them in coming to the Synod, and returning from the Synod, to provide them good accommodation, to protect them from dangers, to defend their rights and priveleges. To compell obdurate persons by civill Lawes and punishments to submit to their censures and decrees. What gets the Magistrate by all this to himself? He may put it all in his eye and see never a whit the worse. For they declare expressly that, neither all the power, nor any part of the power, which Synods have to deliberate of or to define Ecclesiasticall things (though it be in relation to their own Subjects) doth flow from the Magistrate, but because in those things which belong to the outward man, (mark the reason) the Church stands in need of the help of the Magistrate. Fair fall an ingenuous confession, they attribute nothing to the Magistrate, but only what may render him able to serve their own turns, and supply their needs. I wish these men would think a little more of the distinction between *habituall* and *actuall* Jurisdiction. After a School-master hath his license to teach, yet his actuall Jurisdiction doth proceed from the parents of his Scholers. And though he enjoy a kind of Supremacy among them, he must not think that this extinguisheth, either his own filiall duty, or theirs.

ibidem.

Like this power of presiding politically in Synods is the other power which they give him of reforming the Church, that is when the State of the Church is corrupted, but not when it is pure, as they take it for granted, that it is, when the jurisdiction is in their own hands. Although godly Kings
,, and

" and Princes, sometime by their own authority, when the Kirk is corrup-
 " red, and all things out of order, place Ministers, and restore the true ser-
 " vice of the Lord, after the example of some godly Kings of Iuda, and di-
 " verse godly Emperours and Kings also in the light of the New Testa-
 " ment; yet where the Ministry of the kirk is once lawfully constituted,
 " and they that are placed, do their office faithfully, all godly Princes and
 " Magistrates ought to hear and obey their voyce, and reverence the Ma-
 " jesty of the Son of God speaking in them. Leave this jugling, who Shall
 " judge, when the Church is corrupted; the Magistrates or Church-men:
 " if the Magistrates: why not over you, as well as others? If the Church-
 " men, why not others as well as you? here is nothing to be answered, but
 " to beg the question, that they onely are The true Church: Hear another
 " witnesse, in Evill & trouble sometymes, and in a lapsed state of affaires;
 " when the order Instituted by God in the Church, is degenerated to Ty-
 " ranny, to the trampling upon the true religion, and oppressing the pro-
 " fessors of it, when nothing is found, the Godly Magistrate may doe
 " somethings; which ordinarily are not lawfull &c. But ordinarily & of
 " common right, in Churches already constituted, if a man fly to the
 " Magistrate, complaining that he is injured, by the abuse of Ecclesiasti-
 " call discipline, or if the sentence of the Presbyteries displease the Magi-
 " strate, either in poynt of discipline or of faith, he must not therefore draw
 " such causes to a civill tribunall, nor introduce a Political Papacy. And as
 " the Magistrate hath power in extraordinary causes, when the Church is
 " wholly corrupted, to reform Ecclesiasticall abuses; so if the Magistrate
 " shall Tyrannise over the Church, it is lawfull to oppose him, by cer-
 " tain wayes & means, extraordinary; how ever ordinarily not to be al-
 " lowed. This is plaine dealing, the Magistrate can not lawfully reforme
 " them, but in cases extraordinary; and in cases extraordinary they may
 " lawfully reforme the Magistrate, *by means not to be ordinarily allowed*, that is
 " by force of arms; See the principles from whence all our miseries; and the
 " losse of our gracious Master, hath flowed, and learn to detest them; They
 " *gave the Magistrate the custody of both tables*; so they do give the same to
 " themselves, they keep the second table, by admonishing him; he keeps the
 " first table by assisting them, they reforme the abuses of the first table by or-
 " dinary right, of the second table extraordinarily: He reformes the abuses
 " against the second table; by ordinary right, and the abuses against the first
 " table extraordinarily.
 " But can the Magistrate, according to their teaching call the Synod, to
 " an account for any thing they doe, can he remedy the errors of a Synod
 " either in doctrine, or discipline? No if Magistrates had power to change, or di-
 " minish, or restrain the rights of the Church; the condition of the Church, should be
 " worse, and their liberties lesse, under a Christian Magistrate, then under an Heathen.

2. Book of
disc: ch: 10.

Theor: 84. &
85.

ibid.

Theor: 43.

Theor: 95.

Theor: 88.

Theor: 97.

2.

Theor: 82.

3.

Theor: 91. 92.

ipsum vobis
de of a
reale of his

2.

1582.

As: Saint-
Andrews,
1582.

As: Saint-
Andrews,
1586.

For (say they) Parliaments & Supreme Senats, are no more infallible then Synods, and in matters of faith and discipline more apt to erre; And againe, the Magistrate is not judge of Spirituall causes controverted in the Church. And if he decree any thing in such busineses, according to the wisdom of the flesh, & not according to the rule of Gods Word, and the wisdom which is from above, he must give an accounte of it unto God.

Or may the supreme Magistrate oppose the execution of their discipline, practised in their Presbyteries, or Synods, by lawes or prohibitions? No. it is wickednesse, if he do so farre abuse his authority, good Christians must rather suffer extremities, then obey him.

Then what remedy hath the Magistrate, if he find himself grieved in this case? He may desire and procure a review in another Nationall Synod, that the matt er may be lawfully determined by Ecclesiasticall judgement. Yet upon this condition, that notwithstanding the future review, the first sentence of the Synod be executed without delay. This is one main branch of Popery, and a grosse incroachment upon the right of the Magistrate.

The second flowes from this. The last appeale ought to be to the Supreme Magistrate, or Magistrates, within his or their Dominions, as to the highest power under God. And where it is not so ordered, the common-wealth can enjoy no tranquillity, as we shall see in the second part of this discourse. By the lawes of England, if any man find himself grieved with the sentence or consistoriall proceedings of a Bishop, or of his officers, he may appeale from the highest judicatory of the Church to the King in Chancery, who useth in that case to grante Commissions under the great Seale, to *Delegates* expert in the lawes of the Realme, who have power to give him remedy, and to see justice done. In Scotland this would be taken in great scorne, as an high indignity put upon the Commissioners of Christ, to appeale from his Tribunal, to the judgment of a mortall man. In the yeare 1582, King James by his letter, by his messenger, the *Maister of Requests*, and by an Herald at Armes, prohibited the *Assembly at Saint Andrews* to proceed in the case of one *Mongomery*, and *Mongomery*, himselfe appealed to Caesar, or to King and Councell. What did our new Maisters upon this? They sleighted the Kings letter, his Messenger, his Herald, rejected the Appeale, as made to an incompetent judge, and proceeded most violently in the cause. About sower yeares after this another Synod held at *Saint Andrews*, proceeded in like manner against the Bishop of that See, for voting in Parliament according to his conscience, and for being suspected to have penned a declaration, published by the King and Parliament at the end of the statutes, notwithstanding that hee declined their judicature, and appealed to the King and Parliament. When did any Bishops dare to doe such acts? There need no more instances, their book of Discipline, it self being so full in the case, from the *Rox* there is

no reclamation, or appellation, to any judg civill or Ecclesiasticall, within the Realme. 2. Book disc: chap: 12.

C H A P. I V.

That it exempts the Ministers from due punishment.

Thirdly, if Ecclesiastick persons in their Pulpits or Assemblies, shall leave their text and proper worke to turne incendiaries, trumpeters of sedition, stirring up the people to tumults and disloyall attempts; in all well ordered kingdomes and common-wealths, they are punishable by the civill Magistrate, whose proper office it is to take cognisance of treason and sedition. It was well said by a king of *France* to some such seditious *Shebas*, that if they would not let him alone in their pulpits, he would send them to preach in another climate. In the *united provinces* there want not examples of seditious Oratours, who for controlling their Magistrates too saucily in the pulpit, have been turned both out of their Churches and cities, without any feare of wresting *Christs Scepter* out of his hand. In *Geneva* it self, the correction of Ecclesiasticall persons (*quatales*) is expressly reserved to the Seigniorie. So much our *Disciplinarians* have out done their patterne, as the passionate writings of heady men out doe the calmer decrees of a staied Senate. Eccl. Ord: p: 14.

But the Ministers of Scotland have exempted themselves in this case from all secular judgment, as king *James* (who knew them best of any man living) witnesseth. They said, he was an incompetent judg in such cases, and that matters of the pulpit ought to be exempted from the judgment and correction of princes. They themselves speake plaine enough. It is an absurd thing, that sundry of them, (Commissaries) having no function of the *kirke*, should be judges to Ministers, and depose them from their roomes. The reason holds as well against Magistrates, as commissaries. To passe by the saucy and seditious expressions of *Mr Dury*, *Mr Melville*, *Mr Balcanquhall*, and their impunity. *Mr James Gibson* in his sermon taxed the King for a persecuter, and threatened him with a curse, that he should die childlesse, and be the last of his race, for which being convented before the Assembly, and not appearing, he was onely suspended during the pleasure of his brethren, (he should have been suspended indeed, that is hanged). But at another Assembly, in August following, upon his allegation, that his not appearing was out of his tender Declar: 1584.
2. Book disc: chap: 11.
At Edinb:] 1587.

Master Da-
vid Black,
1596.

tender care of the rights of the Church, he was purged from his contumacy, without once so much as acquainting his Majesty.

The case is famous of M^r David Blacke Minister of S^t Andrewes, who had said in his sermon, that the King had discovered the treachery of his heart, in admitting the Popish Lords into the country. That all Kings were the devils bairns, that the devill was in the court, and in the guiders of it, And in his prayer for the Queen he used these words, we must pray for her for fashions sake, but we have no cause; she will never doe us any good. He said that the Queen of England (queen Elizabeth) was an Atheist, that the Lords of the Session were miscreants and bribers, that the Nobility were degenerated, Godless, dissemblers, and enemies to the Church, that the Councell were holly glasses, cormorants, and men of no religion. I appeale to all the Estates in Europe, what punishment could be severe enough for such audacious virulence? The English Ambassadour complains of it; Blake is cited before the councell. The commissioners of the Church pleade, that it will be ill taken, to bring ministers in question upon such trifling declinations, as in consistent with the liberties of the Church. They conclude that a declinatour should be used, and a protestation made against those proceedings, saying, it was Gods cause, wherein they ought to stand to all hazards. Accordingly a declinatour was framed and presented. Blake desires to be remitted to the presbytery, as his ordinary. The Commissioners send the copy of the declinatour to all the presbyteries, requiring them for the greater corroboration of their doings, to subscribe the same, and to commend the cause in hand in their private and publicke prayers to God, using their best credit with their flockes for the maintenance thereof. The King justly incensed herewith, dischargeth the meeting of the Commissioners. Notwithstanding this Injunction they stay still, and send Delegates to the King, to represent the inconveniences that might insue. The King more desirous to decline their envy, then they his judgment, offers peace. The Commissioners refuse it, and present an insolent petition, which the King rejects deservedly, and the cause was heard the very day that the Princesse Elizabeth, (now Queene of Bohemia) was Christened. The wittneses were produced, M^r Robert Ponte in the name of the Church makes a Protestation. Blake presents a second declinatour. The Councell decree that the cause being treasonable, is cognoscible before them. The good king still seeks peace, sends messengers, treats, offers to remitte. But it is labour in vaine. The Ministers answer petemtorily by M^r Robert Bruce their prolocutor, that the liberty of Christs Kingdome had received such a wound, by this usurpation of the rights of the Church, that if the lives of M^r Blake and twenty others had bene taken, it would not have grieved the hearts of good people so much, as these injurious proceedings. The king still woes and conferres. At last the matter is concluded, that the king shall make a declaration in favour of the Church, that

M.

Mr Blake shall onely make an acknowledgment to the Queene, and be pardoned. But Mr Blake refuseth to confesse any fault, or to acknowledge the king and and Councell to be any judges of his Sermon. Hereupon he is convicted, and sentenced *to be guilty of false and treasonable slanders*, and his punishment referred to the king. Still the king treats, makes propositions unbecoming his Majesty, once, or twice. The Ministers reject them, proclaim a fast, raise a tumult in *Edenbug*, petition, praeferre Articles. The king departeth from the Citty, remooveth his *courts of Iustice*, the people repent, the Ministers persist, and seeke to ingage the Subjects in a *covenant for mutuall defence*. One Mr. Walsh in his sermon telles the people, that *the King was possessed with a devil yea with seven devils*, that the subjects might lawfully rise *Take the sword out of his hands*. The Seditious encouraged from the pulpit, send a letter to the Lord Hamilton, to come and be their Generall. He nobly refuseth, and sheweth their letter to the King. Hereupon the Ministers are sought for to be apprehended, and flie into *England*. The tumult is declared to be treason by the Estates of the Kingdome. I have urged this the more largely, (yet as succinctly as I could,) to let the world see, what dangeroun subjects these Disciplinarians are, and how in consistent their principles be, with all orderly Societies.

C H A P. V.

That it subjects the supreme Magistrate to their censures &c.

Fourthly they have not onely exempted themselves, in their duties of their owne function, from the tribunall of the Sovereigne Magistrate, or Supreme Senate, but they have subjected him, and them, (yea even in the discharge of the Sovereigne trust) to their owne consistories, even to the highest censure of Excommunication, which is like the cutting of a member from the body Naturall, or the out lawing of a Subject in the body politicke, Excommunication, that very engine, where by the Popes of old advanced themselves above Emperors. To discipline must all the Estates within this realme be subject. as well Rulers, as they that are ruled. And Elsewhere, all men, as well Magistrates as inferiours, ought to be subject to the judgment of Generall Assemblies. And yet againe, no man that is in the Church, ought to be exempted from Ecclesiasticall censures. What horrid and pernicious mischiefs do use to attend the Excommunication of Sovereigne

1 Book: disc.
7. head

2 Book: disc.
Ch: 12.

Theor: 8

Magistrates, I leave to every mans memory, or imagination. Such cour-
 ses make great Kings become cyphers, and turne the tenure of a crowne
 copy hold, *ad voluntatem Dominorum*. Such doctrines might better become
 some of the Roman *Alexanders*, or *Bonifaces*, or *Gregories*, or *Pius quintus*,
 then such great professors of humility, such great disclaimers of authori-
 ty, who have inveighed so bitterly against the Bishops for their usurpati-
 ons. This was never the practise of any orthodox Bishop, *S^t Ambrose* is
 mistaken, what he did to *Theodosius* was no act of Ecclesiasticall jurisdiction,
 but of Christian discretion. No he was better grounded, *David* said, *against*
the onely have I sinned, because he was a King. Our disciplinarians abhorre the
 name of authority, but hugge the thing, their profession of humility, is just
 like that Cardinalls hanging up of a sinners net in his dining roome, to put
 him in mind of his discent, but so soone as he was made Pope he tooke
 it downe, saying, *the fish was caught now, there was no more need of the net*.

C H A P. V I.

That it robbes the Magistrate of his dispensative power.

Fifthly, all supreme Magistrates do assume to themselves a power of par-
 doning offences and offenders, where they judge it to be expedient. He
 who beleeves that the Magistrate can not with a good conscience dispence
 with the punishment of a penitent malefactor, I wish him no greater cen-
 sure then that the panall lawes might be duely executed upon him, untill
 he recante his error. But our Disciplinarians have restrained this dispen-
 sative power, in all such crimes as are made capitall by the judiciall law, as
 in the case of Blood, Adultery, Blasphemy, &c. in which cases, they say the
 offender ought to suffer death, as God hath commanded. And, If the life
 be spared as it ought not to be to the offenders, &c. And, the Magistrate
 ought to preferre Gods expresse commandement before his own cor-
 rupt judgement, especially in punishing these crimes which he comandeth
 to be punished with death. When the then popish Earles of *Angus*, *Huntley*,
 and *Erroll*, were excommunicated by the Church, and forfeited for treason-
 able practises against the King, it is admirable to read with what wisdom
 and charity and sweetnesse his Majesty did seek from time to time to re-
 claim them from their errors, and by their unfeigned conversion to the
 reformed Religion to prevent their punishment. Wherein he had the con-
 currence

Booc disc:
 head. 9.

ibid:

Ass: Edenb:

1594.

Parl: Ed:

1594.

currence of two Conventions of Estates, the one at *Falkland*, the other at *Dumfermling*. And on the other side to see with what bitterness and radicatted malice, they were prosecuted by the Presbyteries, and their Commissioners, sometimes petitioning that *they might have no benefit of law, as being excommunicated*, Sometimes threatening, that *they were resolved to pursue them to the uttermost, though it should be with the losse of all their lives in one day. That if they continued enemies to God and his Truth, the Countrey should not brook both them and the Lords together*. Sometimes pressing to have their estates confiscated, and their lives taken away. Alleaging for their ground, that, *by Gods law they had deserved death*. And when the King urged that the bosome of the Church should be ever open to penitent sinners, they answered; that *the Church could not refuse their satisfaction, if it was truly offered, but the king was obliged to do justice*. What do you think of those that roar out, *Iustice, Iustice*, now a dayes, whether they be not the right spawn of these blood-suckers, Look upon the examples of Cain, Esau, Ishmaell, Antiochus, Antichrist, and tell me, if You ever finde such supercilious, cruell, blood-thirsty persons, to have been pious towards God, but their Religion is commonly like themselves, stark naught, Cursed, be their anger for it was fierce, and their wrath, for it was cruell.

Gen. 79. 7.

These are some of those incroachments which our Disciplinarians have made upon the rights of all supreme Magistrates, there be sundry others, which especially concern the Kings of *Great Britain*, as the losse of his tenths, first fruits, and patronages, and which is more then all these, the dependence of his Subjects. By all which we see, that they have thrust out the Pope indeed, but retained the Papacy. The Pope as well as they, and they as well as the Pope, (neither bartell better herrings,) do make Kings but half kings, kings of the bodies, not of the souls of their Subjects, They allow them some sort of judgement over Ecclesiasticall persons, in their civill capacities, for it is little (according to their rules) which either is not Ecclesiasticall, or may not be reduced to Ecclesiasticall. But over Ecclesiastick persons, as they are Ecclesiasticks, or in Ecclesiasticall matters, they ascribe unto them no judgement in the world. They say it cannot stand with the word of God, that no Christian Prince ever claimed, or can claim to himself such a power, If the Magistrate will be contented to wave his power in Ecclesiasticall matters, and over Ecclesiasticall persons, (as they are such), and give them leave to do what they list, and say what they list, in their pulpits, in their consistories, in their Synods, and permit them to rule the whole common wealth, in order to the advancement of the kingdom of Christ. If he will be contented to become a subordinate Minister to their Assemblies, to see their decrees executed, then it may be they will become his good Masters, and permitte him to injoy a parte of his civill power. When Sovereignes are made but accessaries, and inferiours do become principalls, when stronger obligations are devised, then those of

vindication
of Commis-
sioners
Iun: 6: 1648.

a subject to his Sovereigne, it is time for the Magistrate to looke to him self, these are prognostickes of insuering stormes, the avant carriers of seditious tumults. When supremacy lights into strang and obscure hands, it can hardly containe it self within any bounds. Before our disciplinarians be well warmed in their Ecclesiasticall Supremacy, they are beginning; or rather they have already made a good progresse in the invasion of the temporall Supremacy also.

CHAP. VII.

That the disciplinarians cheate the Magistrate of his civill power in order to religion.

- 6 That is their sixt inroachment upon the Magistrate, and the verticall point of Iesuitisme. Consider first how many civill causes they have drawne directly into their consistories, and made them of Ecclesiasticall cognifance, as *fraud in Bargaining, false weights and measures, oppressing one another, &c.* and in the case of ministers, *bribery, perjury, theft, fighting, usury, &c.* Secondly consider that all offences whatsoever are made cognoscible in their consistories, in case of scandall, yea even such as are punishable by the civill sword with death. If the civill sword foolishly spare the life of the offender, yet may not the kirke be negligent in their office, which is to excommunicate the wicked.

Thirdly they ascribe unto their Ministers a liberty and power to direct the Magistrate, even in the mesnagery of civill affaires. To governe the common-wealth and to Establish civill lawes is proper to the Magistrate; to interpret the word of God, and from thence to shew the Magistrate his duty, how he ought to governe the common-wealth, and how he ought to use the sword, is comprehended in the office of the Minister, for the holy scripture is profitable to shew what is the best goverment of the common-wealth. And againe all the duties of the second table as well as of the first, betweene king and subject, parents and children, husbands and wyfes, Masters and servants, &c. are in difficult cases a subject of cognifance and judgment to the Assemblies of the kirke. Thus they are risen up from a judgment of direction to a judgment of Iurisdiction. And if any persons, Magistrates or others, dare act contrary to this judgment of the Assembly, (as the Parliament and Committee of Estates did in Scotland in the late expedition) they make it to be an unlawfull ingagement

1 Book: disc:
7. head
2 Book: disc:
ch: 7.

1 Book: disc:
9. head &
Theor: 63.

Theor: 47.
18.

wind: com:
p: 6.

ment, a sinfull warre, contrary to the testimonies of Gods servants, and decree the parties so offending to be *suspended from the communion, and from their offices in the kirk*. I confesse Ministers do well, to exhort Christians to be carefull, honest, industrious; in their speciall callings, but for them to meddle pragmatically with the mysteries of particular trades, and much more with the mysteries of State, which never came within the compassse of their shallow capacities, is a most audacious insolence, and an insufferable præsumption. They may as well teach the Pilote how to steere his course in a tempest, or the Physitian how to cure the distempers of his patient.

But their highest cheate is that Iesuiticall invention, (*in ordine ad spiritualia*.) they assume a power in worldly affaires indirectly, and in order to the advancement of the kingdome of Christ. *The Ecclesiastical Ministry is conversant spiritually about civill things.* Again *must not duties to God whereof the securing of religion is a maine one, have the Supreme and first place, duties to the King a subordinate and second place?* The case was this. The Parliament levied forces to free their king out of prison. A meere civill duty. But the commissioners of the Assembly declare against it, unless the king will first give assurance under hand and seale, by solemne oath, that he will establish the covenant, the presbyterian discipline, &c. in all his dominions, and never indeavour any change thereof, least otherwise his liberty might bring their hygone proceedings about the league and covenant into question, there is their, *in ordine ad spiritualia*. The Parliament will restore to the king his negative voice, A meere civill thing. The commissioners of the Church oppose it, because of the great dangers that may thereby come to religion. The Parliament name officers and commanders for the Army, a meere civill thing. The Church will not allow them, because they want such qualifications as Gods word requires, that is to say in plaine termes, because they were not their confidants. Was there ever Church that challenged such an omnipotence as this? Nothing in this world is so civill or politicall, wherein they do not interest themselves, in order to the advancement of the kingdome of Christ.

Vpon this ground their Synod enacted, that no Scottish merchants should from thenceforth traffique in any of the dominions of the King of Spain, untill his Majesty had procured from that king, some relaxation of the rigour of the inquisition, upon pain of excommunication. As likewise that the monday market at Edinburgh should be abolished. It seems they thought it minitted some occasion to the breach of the Sabbath. The merchants petitioned the king to maintain the liberty of their trade, He grants their request; but could not protect them, for the Church prosecuted the poor merchants with their censures, untill they promised to give over the Spanish trade, so soon as they had perfected their accounts, and payed their Creditors in those parts.

Solemne
acknowledg-
ment: octob.
6. 1648.

Theor: 63.
vindication:
p: 5.

Humble ad-
vise Edens:
June 10.
1648.

vindication:
p. 8.

Aff: Dundee
1593.

But the Shoemakers, who were most interested in the Monday markets with their tumults and threatnings compelled the Ministers to retract Whereupon it became a jest in the City, that the *Souters* could obtain more at the Ministers hands, then the king. So they may meddle with the Spanish trade or Monday markets, or any thing in order to Religion.

Vpon this ground they assume to themselves a power to ratifie Acts of Parliament. So the Assembly at Edinburgh enacted, That the Acts made „ in the Parliament at Edinburgh the twentieth fourth of August, 1560, (without either commission or proxie from their Sovereigne,) touching „ Religion, &c. should have the force of a publick law. And that the said „ Parliament, so farre as concerned Religion, should be maintained by „ them, &c. And be ratified by the first Parliament that should happen to „ be kept within that Realm. See how bold they make with Kings and Parliaments, in order to Religion. I cannot omit that famous summons which this Assembly sent out, not only to entreat, but to *admonish all persons* „ truly professing the Lord Iesus, within the Realm, as well Noblemen as „ Barons and those of other estates, to meet and give their personall appearance at Edinburgh the 20 of July ensuing, for giving their advise and concurrence in matters then to be proponed, especially for purging the Realm of popery, establishing the policy of the Church, and restoring the „ patrimony thereof to the just possessours. Assuring such as did absent themselves, that they should be esteemed dissimulate professors, unworthy „ of the fellowship of Christs flock. Who thinks your Scottish Disciplinarians know not how to ruffle it?

Vpon this ground they assume a power to abrogate and invalidate lawes and Acts of Parliament, if they seem disadvantageous to the Church. Church Assemblies have power to abrogate and abolish all statutes and ordinances concerning Ecclesiasticall matters, that are found noisome and „ unprofitable, and agree not with the times, or are abused by the people. „ So the Acts of Parliament 1584 at the very same time that they were proclaimed, were protested against at the market-crosse of Edinburgh by the „ Ministers, in name of the kirk of Scotland. And a little before, Whatsoever be the treason of impugning the authority of Parliament, it can be „ no treason to obey God rather then man. Neither did the Generall Assembly of Glasgow 1638, &c. commit any treason, when they impugned „ Episcopacy, and Perth Articles, although ratified by Acts of Parliament, „ and standing lawes then unrepealed. He saith so farre true, that we ought rather to obey God then man, that is to suffer when we cannot act, but to impugne the authority of a lawfull Magistrate, is neither to obey God nor man. God commands us to die innocent rather then live nocent, they teach us rather to live nocent, then die innocent. Away with these seeds of sedition, these rebellious principles. Our Master Christ hath left us no such

Ass: Edenb:
1567.

2 Book: disc:
ch: 7.

vindication
pag: 11.
p: 10.

warrant, and the unsound practise of an obscure conventicle is no safe pattern. The king was surpris'd at *Ruthen*, by a company of Lords and other conspirators, this fact was as plain treason as could be imagined, and so it was declared, (I say declared not made) in Parliament. Yet an Assembly Generall (no man gainsaying) did justify that treason in order to Religion as good and acceptable service to God, their Sovereign, and native Country, requiring the Ministers in all their Churches to commend it to the people, and exhort all men to concurre with the actors, as they tenderd the glory of God, the full deliverance of the Church, and perfect reformation of the common-wealth, threatening all those who subscribed not to their judgement with Excommunication. We see this is not the first time that disciplinarian spectacles have made abominable treason to seem Religion, if it serve for the advancement of the good cause. And it were well if they could rest here, or their zeall to advance their Ecclesiasticall Sovereignty by force of arms and effusion of Christian blood, would confine it self within the limits of Scotland, No those bounds are to narrow for their pragmaticall spirits, and for busy Bishops in other mens diocesses. See the Articles of Sterling, That the securing and setting Religion at home, and promoting the work of Reformation abroad, in *England* and *Ireland*, bee referred to the determination of the Generall Assembly, (of the kirk,) or their commissioners. What is old *Edinburgh* turned new *Rome*, and the old Presbyters young Cardinals, and their consistory a conclave, and their Committees ajuncto for propagating the faith. Themselves stand most in need of reformation, If there be a mote in the eye of our Church, there is a beam in theirs. Neither want we at home God be praised, those who are a thousand times fitter for learning, for piety, for discretion, to be reformers then a few giddy innovators. This I am sure since they undertook our cause against our wills, they have made many fat Church-yards in *England*. Nothing is more civill, or essentiall to the Crown, then the Militia, or power of raising armes. Yet we have seen in the attempt at *Ruthen*, in their letter to the Lord Hamilton, in their Sermons, what is their opinion. They insinuate as much in their Theorems, *It is lawfull to resist the Magistrate, by certain extraordinary wayes, or meanes, not to be ordinarily allowed.* It were no difficult task out of their private authors, to justify the barbarous acts that have been committed in *England*. But I shall hold my self to their publick actions & records. *A mutinous company of Citizens forced the gates of Halbrood house, to search for a Priest, and plunder at their pleasure, M^r Knox was charged by the Councell to have been the author of the sedition, and further to have convocated his Majesties Subjects by his letters missive when he pleased.* He answered that he was no preacher of rebellion, but taught people to obey their Princes in the Lord, [I fear he taught them likewise that he and they were the only competent judges

1581.

1583.

Art: Edenb:

1582.

Sept 27: 1648

Art: 3.

Theor. 84.

Anno 1562.

Ans: Edenb:
1593.

what is obedience in the Lord.] He confessed his *convocating of the Subjects by virtue of a command from the Church, to aduertise the brethren when he saw a necessity of their meeting, especially if he perceived Religion to be in perrill.* Take another instance, The Assembly having received an answer from the King, about the triall of the Popish Lords, not to their contentment, resolve all to convene in armes at the place appointed for the triall, where upon some were left at Edenburgh to give timely advertisement to the rest. The King at his returne gets notice of it, calles the Ministers before him, shewes them what an undutifull part it was in them to levy forces, and draw his Subjects into armes without his warrant. The Ministers pleaded, that *it was the cause of God, in defence whereof they could not be deficient.* This is the Presbyterian wont, to subject all causes and persons to their consistories, to ratifie and abolish civill lawes, to confirm and pull down Parliaments, to levy Forces, to invade other Kingdoms, to do any thing respectively to the advancement of the good cause, and in order to Religion

CHAP. VIII.

That the Disciplinarians challenge this exorbitant power by divine right.

BEhold both Swords spirituall and temporall in the hands of the Presbytery, the one ordinarily by common right, the other extraordinarily, the one belonging directly to the Church, the other indirectly, the one of the Kingdom of Christ, the other for his Kingdom, in order to the propagation of Religion. See how these hocas pocas es with stripping up their sleeves and professions of plain dealing, with declaiming against the tyranny of praelates, under the prætense of humility and Ministeriall duty, have wrested the scepter out of the hand of Majesty, and jugged themselves into as absolute a Papacy, as ever was within the walles, of Rome. O Saviour behold thy vicars, and see whither the pride of the servants of thy servants is ascended. Now their consistories are become the *Tribunalls of Christ*. That were strang indeed, Christ hath but one *Tribunall*, his Kingdome is not of this world. Their determinations passe for the *Sentences of Christ*. Alas there is too much faction, and passion, and ignorance in their Presbyteries. Their Synodall Acts goe for the *lawes of Christ*. His lawes are immutable, mortall man may not presume to alter them, or to adde to them, but these men are chopping and changing their constitutions every

every day. Their elders must be looked upon as the *Commissioners of Christ*. It is impossible, Geneva was the first city where this discipline was hatched, though since it hath light into hucksters hands. In those daies they magnified the platforme of Geneva, for the *patterne shewed in the mount*. But there, the Presbyters at their admision take an oath, to observe the Ecclesiasticall ordinances of the small, great, and Generall councill of that city. Can any man be so stupid, as to thinke, that the high Commissioners of Christ sweare fealty to the Burgers of Geneva? Now forth their discipline is become the *scepter of Christ, the æternall Gospell*. (See how successe exalts mens desires and demands,) In good time, where did this scepter lie hid for 1500 yeares, that we can not find the least footsteps of it in the meanest village of Christendome? This world drawes towards an end, was this discipline fitted and contrived for the world to come? Or how should it be the æternall Gospell? When every man sees how different it is from it self, in all Presbyterian Churches, adapted and accommodated to the civill pollicy of each particular place where it is admitted, except onely Scotland, where it comes in like a conquerer, and makes the civill power stoop and strike topsaile to it. Certainly if it be the Gospell, it is the fifth Gospell for it hath no kindred with the other fower. There is not a text which they wrest against Episcopacy, but the Independents may with as much colour of reason, and truth, urge it against their Presbyteries. Where doth the Gospell distinguish betweene temporary and perpetuall rulers? Betweene the Government of a person, and of a corporation? There is not a text which they produce for their presbytery, but may with much more reason be alleged for Episcopacy, and more agreeably to the *analogy of faith*, to the perpetuall practise and belief of the Catholick Church, to the concurrent Expositions of all interpreters, and to the other texts of holy scripture, for untill this new modell was yester day devised, none of those texts were ever so understood. When the practise ushers in the doctrine, it is very suspicious, or rather evident, that the Scripture was not the rule of their reformation, but their subsequent excuse. This (*jure divino*) is that which makes their sore incurable, themselves incorrigible, that they father their owne brat upon God almighty, and make this mushrome which sprung but up the other night, to be of heavenly descent. It is just like the doctrine of the Popes infallibility, which shurtes the dore against all hope of remedy. How should they be brought to reforme their errors, who beleve they can not erre, or they be brought to renounce their drowsy dreames, who take it for granted, that they are divine revelations.

And yet when that wise prince King James, a little before the Nationall Assembly at perth, published in printe 55 Articles or questions, concerning the uncerteinty of this discipline, and the vanity of their præten-

Anno 1596.

ded plea of *divine right*; and concerning the errors and abuses crept into it, for the better preparation of all men to the ensuing Synod, that Ministers might study the point before hand, and speak to the purpose. They who stood affected to that way were extremely perplexed. To give a particular account they knew well it was impossible; but their chiefest trouble was, that their foundation of *divine right*, which they had given out all this while to be a solid rock, should come now to be questioned for a shaking quagmire. And so without any opposition they yielded the bucklers. Thus it continued untill these unhappy troubles. When they started aside again like broken bowes. This plant thrives better in the midst of tumults, then in the times of peace and tranquillity. The elme which supports it, is a factious multitude, but a prudent and Courageous Magistrate nippes it in the bud.

CHAP. IX.

That this discipline makes a monster of the common-wealth.

WE have seen how pernicious this discipline (as it is maintained in Scotland, and endeavoured to be introduced into England by the covenant;) is to the supreme Magistrate, how it robs him of his supremacy in Ecclesiasticall affaires, and of the last appeals of his own Subjects, that it exempts the Presbyters from the power of the Magistrate, and subjects the Magistrate to the Presbyters, that it restrains his dispensative power of pardoning, deprives him of the dependence of his Subjects, that it doth challenge and usurp a power Paramount both of the word & of the Sword, both of Peace and Warre, over all Courts and Estates, over all lawes civill and Ecclesiasticall, in order to the advancement of the Kingdom of Christ, whereof the Presbyters alone are constituted rulers by God, and all this by a pretended divine right, which takes away all hope of remedy, untill it be huffed out of the world; in a word that it is the top branch of Popery, and a greater tyranny, then ever Rome was guilty of. It remains to shew how disadvantageous it is also to the Subject.

First, to the common-wealth in Generall which it makes a monster, like an amphibaina, or a serpent with two heads, one at either end. It makes a coordination of Sovereignty in the same Society, two supremes, in the same Kingdom or State, the one civill the other Ecclesiasticall, then which
nothing

nothing can be more pernicious, either to the consciences, or to the estates of Subjects, when it falls out (as it often doth) that from these two heads issue contrary commands, *If the Trumpet give an uncertain sound, who shall prepare himself to the battell?* Much more when there are two Trumpets, and the one sounds an alarm, the other a retreat. What should the poor Souldier do in such a case? or the poor Subject in the other case? If he obey the civill Magistrate, he is sure to be excommunicated by the Church, If he obey the Church he is sure to be imprisoned by the civill Magistrate, What shall become of him? I know no remedy, but according to *Solomons* sentence, the living Subject must be divided into two, and the one half given to the one, and the other half to the other. For the Oracle of Truth hath said, that *one man cannot serve two Masters*. But in Scotland every man must serve two Masters, and (which is worse) many times disagreeing Masters. At the same time the civill Magistrate hath commanded the feast of the Nativity of our Saviour to be observed, and the Church hath forbidden it. At the same time the King hath summoned the Bishops to sit and vote in Parliament, and the Church hath forbidden them.

1 Cor: 14. 8.

King: 3. 25.

In the year 1582, Monsieur-le-mot a knight of the order of the Holy-Ghost, with an associate, were sent Ambassadors from France into Scotland. The Ministers of Edenburgh approving not his message, (though meerly civill,) inveigh in their pulpits bitterly against him, calling his *white crosse* the badge of Antichrist, and himselfe by Ambassador of a *murderer*. The King was ashamed, but did not know how to helpe it. The Ambassadors were discontented, and desired to be gone. The King willing to preserve the ancient amity betweene the two crownes, and to dismiss the Ambassadors with content, requires the Magistrates of Edenburgh to feast them at their departure. So they did. But to hinder this feast, upon the Sunday preceeding, the Ministers proclaime a fast, to be kept the same day the feast was appointed. And to detaine the people all day at Church, the three preachers make three Sermons, one after another without intermission, thundering out curses against the Magistrates, and Noblemen, which waited upon the Ambassadors, by the Kings appointment. Neither staid they here, but pursued the Magistrates with the censures of the Church, for not observing the fast by them proclaimed, and with much difficulty were wrought to abstaine from excommunicating of them, which censure how heavy it fallies in Scotland you shall see by and by. To come yet nearer. The late Parliament in Scotland enjoyned men to take up armes for delivry of their King out of prison. The Commissioners for the Assembly disallowed it. And at this present how many are chased out of their country, how many are put to publick repentance in sackcloth, how many are excommunicated, for being obedient to the Supreme Iudicatory of the Kingdom, that is King and Parliament? Miserable is the condition

1582.

Febr: 16.

At Saint
Giles Church.

condition of that people where there is such clashing and enterfering of supreme judicatories and authorities. If they shall pretend that this was no free Parliament, first they affirm that which is not true, Either that Parliament was free, or what will become of the rest? Secondly this plea will advantage them nothing, for (which is all one with the former) thus they make themselves judges of the validity or invalidity of Parliaments.

CHAP. X.

That this discipline is most præjudiciall to the Parliament.

From the Essentiall body of the Kingdom we are to proceed to the representative body, which is the Parliament. We have already seen, how it attributes a power to Nationall Synods to restrain Parliaments, and to abrogate their Acts, if they shall judge them præjudiciall to the Church. We need no other instance, to show what small account Presbyteries do make of Parliaments, then the late Parliament in Scotland Notwithstanding that the Parliament had declared their resolution *so long forces vigorously, & that they did expect as well from the Synods and Presbyteries, as from all other his Majesties good Subjects, a ready obedience to the commands of Parliaments, and Committee of Estates.* The Commissioners of the Assembly not satisfied herewith, do

„ not only make their proposalls, that the grounds of the Warre and the breaches of the Peace might be cleared, that the union of the Kingdomes

„ might be preserved, that the popish and prelaticall party might be suppressed, that his Majesties offers concerning Religion might be declared

„ unsatisfactory, that before his Majesties restitution to the exercise of his

„ Royall power, he should first engage himself by solemn Oath, under his

„ hand and Seall, to passe Acts for the settlement of the Covenant and Presbyterian Government in all his Dominions, &c. and never to oppose them, or endeavour the Change of them, (An usurer will trust a bankrupt upon easier terms, then they will do their Sovereign,) and lastly, that such persons only might be intrusted, as had given them no cause of jealousy, (which had been too much, and more then any Estates in Europe will take in good part from half a dozen Ministers,) But afterwards by their publick declaration to the whole kirk and Kingdom, for forth that not being satisfied in these particulars, they do plainly dissent and disagree, and declare that they are

clearly perswaded in their consciences, that the Engagement is of dangerous consequence to

true

March, 22.

Declar:

true Religion, prejudiciall to the Liberty of the Kirk, favourable to the Malignant party, inconsistent with the union of the Kingdom. Contrary to the word of God and the Covenant, wherefore they cannot allow either Ministers or any other whatsoever to con-
 curre and cooperate in it, and trust that they will keep themselves free in this businesse, & choose affliction rather then iniquity. And to say the Truth they made their word good. For by their power over the Church-men, and by their influence upon the people, and by threatening all those who engaged in that action with the censures of the Church, they retarded the Levies, they deterred all preachers from accompanying the Army to do divine offices, And when Saint Peters keyes would not serve the turn, they made use of Saint Pauls sword, and gathered the country together in armes at Mach-lene moore to oppose the expedition.

So if the high court of Parliament will set up *presbytery*, they must resolve to introduce an higher court then themselves, which will overtoppe them for eminency of authority, for extent of power, and greatnesse of privileges, that is a Nationall Synod.

First for authority, the one being acknowledged to be but an humain convention, the other affirmed confidently to be a divine institution. The one sitting by virtue of the Kings writte, the other by virtue of Gods writte. The one as Councellers of the Prince, the other as Ambassadors and vicars of the sonne of God. The one as burgesses of corporations, the others as Commissioners of Iesus Christ. The one judging by the law of the land, the other by the holy Scriptures. The one taking care for this temporall life, the other for eternall life.

Secondly for power, as *Curtius* saith, *ubi multitudo vana religione capta est, melius varias suas quam ducibus parer*, where the multitude is led with superstition, they do more readily obey their Prophets then their Magistrates. Have they not reason? Pardon us O Magistrate, thou threatens us with prison, they threaten us with hellfire. Thy sentence deprives us of civill protection, and the benefit of the law, so doth theirs indirectly, and withall makes us strangers to the common-wealth of Israell. Thou canst our-law us, or horne us, and confiscate our estates, their keyes do the same also by consequence, and more over deprive us of the prayers of the Church, and the comfortable use of the blessed Sacraments. Thou canst deliver us to a pursivant, or committe us to the black rod, they can deliver us over to Sathan, and committe us to the prince of darknesse.

Thirdly for privileges the privileges of Parliament extend not to treason, felony, or breach of peace, but they may talke treason, and act treason, in their pulpits and Synods without controllment. They may secretly committe not onely *perilancie* but *Burglary*, and force the dores of the palace Royall. They may not onely breake the peace but convocate the Subjects in armes, yea give warrant to a particular person, to conven
 them

them by his letters missives, according to his discretion; *in order to religion*. Of all which we have seen instances in this discourse. The privileges of Parliaments are the Graces and Concessions of man, and may be taken away by humane Authority, but the privileges of Synods they say are from God, and can not without Sacrilege be taken away by mortall man. The two Houses of Parliament can not name Commissioners to sit in the intervalles, and take care *ne quid detrimenti capiat respublica*; that the common-wealth receive no prejudice. But Synods have power to name vicars Generall, or Commissioners, to sit in the intervalles of Synods, and take order that neither King nor Parliament nor people do invehement upon the Liberties of the Church. If there be anything to doe, they are (like the foxe in Aesops fables,) sure to be in at one end of it.

CHAP. XI.

That this Discipline is oppressive to particular persons.

TOWARDS particular persons this Discipline is too full of rigour, like Dracons lawes that were written in blood. First in lesser faults, inflicting Church censures upon slight grounds. As for an uncomely gesture, for a vain word, for susation of covetousnesse or pride, for superfluity in raiment, either for cost or fashion. For keeping a table above a mans calling or means, for dancing at a wedding, or of servants in the streets, for for wearing a mans hair *a-la-mole*, for not paying of debts, for using the least recreation upon the Sabbath, though void of scandall, and consistent with the duties of the day. I wish they were acquainted with the practise of all other Protestant Countries. But if they did but see one of those kirk-messes which are observed in some places, the pulpit, the consistory, the whole Kingdom would not be able to hold them. What indignations have there been among some of their sect about starch and cuffs, &c. just like these grave debates which were sometimes among the *Fransiscan*, about the colour and fashion of their gowes. They do not allow mee a latitude of difference in any thing. All men, even their Superiours must be their slaves or papes. It is true they beginne their censures with admonition. And if a man will confesse himself a delinquent, he is for giving the Presbiterary offense, and conforme himself in his haire, apparrell, diet, or very thing, to what these rough heven Censur shall prescribe, he may escape

Scot: Leit:
p: 57: 18.

1 Book disc:
7. head.

cape the *stool of repentance* otherwise they will proceed against him for contumacy, to Excommunication.

Secondly this discipline is oppressive in greater faults, The same man is punished twice for the same crime first by the Magistrate according to the lawes of God and the land, for the offence, then by the censures of the Church for the scandall. To this agrees their Synod, *Nothing forbiddes the same fault in the same man to be punished one way by the politicall power, another way by the Ecclesiasticall, by that under the formality of a crime with Corporall or pecuniary punishment, by this under the formality of scandall with spirituall censures.* And their book of discipline, *If the civill sword foolishly spare the life of the offender, yet may not the Kirke be negligent in their office.* Thus their Leiturgy in expresse termes, *All crimes which by the law of God deserve death, deserve also excommunication. Yea though an offender abide an Assise and be absolved by the same, yet may the Church injoyne him publick satisfactions.* Or if the Magistrate shall not thinke fitte in his judgment, or can not in conscience prosecute the party upon the Churches intimation, *the Church may admonish the Magistrate publicly.* And if no remedy be found excommunicate the offender, *first for his crime, and then for being suspected to have corrupted the judg.* Observe first that by hooke or crooke they will bring all crimes whatsoever, great and small, within their Iurisdiction. Secondly observe that a delinquents triall for his life is no sufficient satisfaction to these third *Caros*. Lastly observe that to satisfye their owne humour, they care not how they blemish publicly the reputation of the Magistrate upon frivolous conjectures.

Thirdly, adde to this which hath been said, the severity and extreme rigour of their excommunication, after which sentence no person (his wife, and family only excepted) may have any kind of conversation with him, that is excommunicate, they may not eat with him nor drink with him, nor buy with him nor sell with him, they may not salute him, nor speak to him, [except it be by the license of the Presbytery.] His children begotten and born after that sentence, and before his reconciliation to the Church, may not be admitted to baptism, untill they be of age to require it, or the mother or some speciall friend being a member of the Church present the child; abhorring and damning the iniquity and obstinate contempt of the Father. Adde further that upon this sentence letters of horning (as they use to call them in Scotland) do follow of course, that is an outlawing of the party, a confiscation of his goods, a putting him out of the Kings protection, so as any man may kill him and be unpunished. Yea the party excommunicate is not so much as cited to hear those *fatall letters granted.* Had not David reason to pray, let me fall into the hands of the Lord, not into the hands of men, for their mercies are cruell. Cruell indeed, that when a man is prosecuted for his life, perhaps justly perhaps unjustly, so as appearing and hanging are to him in effect the same thing. Yet if he appear not this pittifull

Theor 63.

1 Book: 9.
head
P: 44.

Scot leit: 48.

47.

3.

1 Book diff:
7. head55 Articles.
1596.

Scot: Leir 49. Church will excommunicate him for contumacy. Whether the offender be convicted in judgement, or be fugitive from the law, the Church ought to proceed to the sentence of Excommunication, As if the just and evident fear of death did not purge away contumacy.

CHAP. XII

That this Discipline is hurtfull to all orders of men.

LAsly, this Discipline is burthensome and disadvantageous to all orders of men. The Nobility and Gentry must expect to follow the fortune of their Prince. Vpon the abatement of Monarchy in Rome, remember what dismall controversies did presently spring up, between the *Papists* and *Ploets*. They shall be subjected to the censures of a raw heady novice, and a few ignorant artificers, They shall lose all their advowsons of such benefices as have cure of soules, (as they have lately found in Scotland,) for every Congregation ought to choose their own Pastour, They shall hazard their Appropriations and Abby-lands. A Sacrilege which their Nationall Synod cannot in conscience tolerate, longer then they have strength sufficient to overthrow it. And if they proceed as they beginne, the Presbyters will in a short time either accomplish their design or change their soile. They shall be bearded and maird by every ordinary Presbyter, witness that insolent speech of Mr Robert Bruce to King James, *I see that your resolution is to take Huntley in favour, If you do, I will oppose: You shall choose whether you will lose Huntley or me, for us both you cannot keep.* It is nothing with them for a pedant to put himself into the ballance, with one of the prime and most powerfull Peers of the Realm.

a Book disc:
eh: 12:

The poor orthodox Clergy in the mean time shall be undone, Their straw shall be taken from them, and the number of their bricke be doubled, They shall lose the comfortable assurance of an undoubted succession by Episcopall ordination.

They shall be reduced to ignorance, contempt, and beggery, they shall lose an ancient Leiturgy, (warranted in the most parts of it by all, in all parts of it by the most publick forms of the protestant Churches, Whereof a short time may produce a paralell to the view of the world,) and be enjoined to prate and pray non sense everlastingly. For howsoever formerly they have had a Leiturgy of their own, as all other

other Christian Churches have at this day. Yet now it seemes they allow no prayers, but extemporary. So saith the information from Scotland. *It is not lawfull for a man to tie himself, or be tied by others, to a prescript form of words in prayer and exhortation.*

Mottis Britanici: 171.

Parents shall lose the free disposition of their own children in marriage. If
 „ the child desire an husband or a wife and the parent gainstand their re-
 „ quest, and have no other cause then the common sort of men have, to wit
 „ lack of goods, or because the other party is not of birth high enough,
 „ upon the child's desire, the Minister is to travaile with the parents, and if
 „ he finde no just cause to the contrary, may admit them to marriage. For the work of God
 „ ought not to be hindered by the corrupt affections of worldly men. They who have
 stripped the father of their Countrey of his just right, may make bold with
 fathers of families, and will not stick to exclude all other fathers, but them-
 selves, out of the fifth commandement. The doctrine is very high, but
 their practise is yet much more high, The Presbyteries will compell the
 wronged parent to give that child as great a portion as any of his other
 Children.

1 Book disc:
9 head.

It will be newes to the lawiers to have the moulter taken away from
 their milles, upon pretense of scandall, or in order to Religion, to have
 their sentences repealed by a Synod of Presbyters, and to receive more
 prohibitions from Ecclesiasticall courts, then ever they sent thither.

All Masters and Mistresses of families, of what age or condition soever, must come once
 a year before the Presbytery, with their households, to be examined personally whether they
 be fit to receive the Sacrament, in respect of their knowledge, and otherwise. And if they
 suffer their children or servants to continue in willfull ignorance, (What if they can not
 helpe it?) they must be excommunicated. It is probable the persons catechised
 could often better instruct their Catechists.

1 Book disc:
9 head.

The common people shall have an high commission in every parish, and
 growe under the arbitrary decrees of ignorant unexperienced governors,
 who know no law but their owne willes, who observe no order but what
 they list, from whom there lies no appeale, but to a Synod, which for the
 shortnesse of its continuance can afford, which for the condition of the
 persons will afford them little relief. If there arise a private jarre between
 the parent and the child, or the husband and the wife, these Domestickall
 judges must know it, and censure it.

Scire volunt secreta domus, atque inde timari.

And if there have bene any suite or difference between the Pastor and
 any of his flock, or betwene neighbour and neighbour, be sure it will
 nor be forgotten in the sentence. The practise of our law hath bene, that
 a judge was rarely permitted to ride a circuit in his owne country. least

private interest or respects might make him partiall. Yet a country is much larger then a parish, and a grave learned judge is presumed to have more temper then such home bred fellowes. Thus we see what a Pandoras box this pretended holy discipline is, full of manifold mischiefes, and to all orders of men most pernicious.

CHAP. XIII

That the covenant to introduce this Discipline is void and wicked, with a short conclusion.

But yet the conscience of an oath stickes deepe. Some will plead, that they have made a covenant with God, for the introduction of this discipline. Oathes and vowes ought to be made with great judgment, and broken with greater. My next talke therefore must be, to demonstrate clearly that this covenant is not binding, but meerly void, and not onely void but wicked, so as it is necessary to breake it, and impious to observe it.

The first thing that crackes the credit of this new covenant is, that it was devised by strangers, to the dishonour of our nation, imposed by subjects, who wanted requisite power, upon their Sovereigne and fellow subjects, extorted by just feare, of unjust sufferings. So as a man may truly say of many who tooke this covenant, that they sinned in pronouncing the words with their lippes, but never consented with their hearts to make any vow to God.

Again, error and deceit make those things involuntary to which they are incident, especially when the error is not meerly negative by way of concealement of truth, when a man knowes not what he doth, but positive, when he beleeves he doth one thing, and doth the cleane contrary, and that not about some inconsiderable accidents, but about the substantiall conditions. As if a Physitian, either out of ignorance or malice, should give his patient a deadly poyson under the name of a cordiall, and bind him by a solemn oath to take it, the oath is voyd, necessary to be broken, unlawfull to be kept. If the patient had known the truth, that it was no cordiall, that it was poyson, he would not have sworn to take it. Such an error there is in the Covenant with a witnesse, To gull men with a strange, unknown, lately devised platform of Discipline, most pernicious to the King and Kingdom, as if it were the very institution of Christ, of high advantage

vantage to the King and Kingdom. To gull them with that Covenant which King James did sometimes take, as if that and this were all one, whereas that Covenant issued out by the Kings authority, this Covenant without his authority, against his authority. That Covenant was for the Lawes of the Realm, this is against the Lawes of the Realm; That was to maintain the Religion established, This is to overthrow the Religion established. But because I will not ground my Discourse upon any thing that is disputable, either in matter of *Right*, or *Fact*, And in truth because I have no need of them, I forgive them these advantages. Only with this gentle *Memento*, That when other forraign Churches, and the Church of Scotland, it self (as appears by their publick Leiturgy used in those dayes) did sue for aid and assistance from the Crown and Kingdom of England, they did not go about to obtrude their own Discipline upon them, but left them free to choose for themselves.

The grounds which follow are Demonstrative, First no man can dispose that by vow, or otherwise either to God or man, which is the right of a third person, without his consent, Neither can the inferiour oblige himself to the præjudice of his Superiour, contrary to his duty, without his Superiours allowance. God accepts no such prætenses, to seem obsequious to him, out of the undoubted right of another person. Now the power of Arms, and the defence of the Lawes, and protection of the Subjects by those Arms, is by the Law of England clearly invested in the Crown. And where the King is bound in conscience to protect, the Subject is bound in conscience to assist. Therefore every English Subject owes his Arms and his obedience to his King, and cannot dispose them as a free gift of his own, nor by any act of his whatsoever diminish his Sovereignes right over him, but in those things wherein by Law he owes subjection to his Prince, he remaineth still obliged, Notwithstanding any Vow or Covenant to the contrary, especially when the Subject and scope of the Covenant is against the known Lawes of the Realm. So as without all manner of doubt, no Divine or Learned Casuist in the world dissenting, This Covenant is either voyd in it self, or at least voided by his Majesties proclamation, prohibiting the taking of it, and nullifying its obligation.

Secondly, it is confessed by all men, that an oath ought not to be the bond of iniquity, nor doth oblige a man to be a transgressor. The golden rule is, *in malis promissis rescinde fidem, in turpi voto muta decretum*, To observe a wicked engagement doubles the sinne: Nothing can be the matter of a vow or Covenant, which is evidently unlawfull. But it is evidently unlawfull for a Subject or Subjects to attempt to alter the Lawes established by force, without the concurrence, and against the commands of the Supreme Legislator, for the introduction of a forraign Discipline. This is

the very matter and subject of the Covenant. Subjects vow to God, and swear one to another, to change the Lawes of the Realm, to abolish the Discipline of the Church, and the Leiturgy lawfully established, by the Sword, (which was never committed to their hands by God or man,) without the King, against the King, which no man can deny in earnest to be plain Rebellion. And it is yet the worse, that it is to the main prejudice of a third order of the kingdom, the taking away, whose rights without their consents, without making them satisfaction, can not be justified in point of conscience. (Yea though it were for the greater convenience of the kingdom, as is most falsely pretended,) And is harder measure then the Abbots and Friars received from Henry the eight, or then either Christians or Turkes do offer to their conquered enemies.

3. Lastly a supervenient oath or covenant either with God or man, can not take away the obligation of a just oath precedent. But such is the Covenant, a subsequent oath, inconsistent with, and destructive to a precedent oath, that is the oath of Supremacy, which all the Church-men throughout the Kingdome, all the Parliament men at their admission to the house, all persons of quality throughout England have taken. The former oath acknowledgeth the King to be the *only* supreme head, (that is civill head to see that every man do his duty in his calling,) and Governer of the Church of England, The second oath or covenant, to set up the Presbyterian Government as it is in Scotland, denieth all this virtually, makes it a politicall papacy, acknowledgeth no Governours but onely the Presbyters. The former oath gives the King the supreme power over all persons in all causes, The second oath gives him a power over all persons, (as they are subjects), but none at all in Ecclesiasticall causes, This they make to be sacrilege.

By all which it is most apparent, that this covenant was neither free nor deliberate, nor valide, nor lawfull, nor consistent with our former oaths, but inforced, deceitfull, invalide, impious, rebellious, and contradictory to our former engagements, and consequently obligeth no man to performance, but all men to repentance. For the greater certainty whereof I appeale, upon this stating of the case, to all the learned Casuists and Divines in Europe, touching the point of common right, And that this is the true state of the case, I appeale to our adversaries themselves. No man that hath any sparke of ingenuity will denie it. No English-man who hath any tolerable degree of judgment, or knowledge in the lawes of his country, can denie it, but at the same instant his conscience must give him the lie.

They who plead for this rebellion, dare not put it to a triall at law, they doe not ground their defence upon the lawes, But either upon their owne groundlesse jealousies and feares, of the Kings intention to introduce Popery,

Popery, to subvert the lawes, and to enslave the people. This is to runne into a certaine crime, for feare of an uncertaine.

They who intend to pick quarrells, know how to faine suspitions. Or they ground it upon the successe of their armes, or upon the Sovereign right of the people, over all lawes and Magistrates; whose representatives they create themselves, whilst the poore people sigh in corners, and dare not say their soule is their owne, lamenting their former folly, to have contributed so much to their owne undoing.

Or lastly upon religion, the cause of God; the worst plea of all the rest, to make God accessary to their treasons; murders, covetousnesse, ambition. Christ did never authorise Subjects to plant Christian religion, much lesse their owne fanaticall dreames, or fantasticall devises, in the blood of their Sovereigne, and fellow subjects.

Speak out, is it lawfull for Subjects to take up arms against their Prince merely for Religion? or is it not lawfull? If ye say it is not lawfull, ye condemn your selves, for your Covenant testifieth to the world, that ye have taken up arms, merely to alter Religion, and that ye bear no Allegiance to your King, but only in order to Religion, that is in plain terms, to your own humours and conceits. If ye say it is lawfull, ye justifie the Independents in England, for supplanting your selves, ye justifie the Anabaptists in Germany, Iohn of Leyden and his crew. Ye break down the banks of Order, and make way for an inundation of blood and confusion in all Countreys. Ye render you selves justly odious to all Christian Magistrates, when they see, that they owe their safety not to your good-wills, but to your weaknesse, that ye want sufficient strength to cut their throats. This is fine doctrine for Europe, wherein there is scarce that King or State, which hath not Subjects of different opinions and communions in Religion. Or lastly if ye say, it is lawfull for you to plant that which ye apprehend to be true Religion, by force of arms, but it is not lawfull for others to plant that which they apprehend to be true Religion by force, because yours is the Gospell, theirs is not, *Ye beg the question*, and make your selves ridiculously partiall by your over-weening opinion, worse then that of the men of *China*, as if ye only had two eyes, and all the rest of the world were stark blind. There is more hope of a fool, then of him that is wise in his own eyes.

I would to God we might be so happy as to see a generall Councell of Christians, at least a Generall Synod of all Protestants, and that the first act might be to denounce an Anathema Maranatha against all broachers and maintainers of seditious principles, to take away the scandall which lies upon Christian Religion, and to shew that in the search of piety, we have not lost the principles of humanity. In the mean time let all Christian Magistrates, who are principally concerned, beware how they suffer this Cockatrice egge to be hatched in their Dominions. Much more how they *plead*

the Basins of the Covenant. It was well
requiring, whether the parties of *Amoy*, do agree to
the Assembly-Generall of Scotland, as either to the Pope, or to the King.
This we see plainly, that they spring out of the ruins of the civil Magi-
strate, they sit upon the temple of God, and they advance themselves
above those whom holy scripture calleth Gods.

F I N I S.

E R R A T A.

Page 4 in the Margent of the 40 Line omitted Assembly Generall Anno 1556.

Page 12 between the 16 and 17 Lines insert

CHAP. III.

That this Discipline robbes the Magistrate of the last appeal of his Subjects.

Page 19 Line 2 for sormunion read communion.

Page 29 Line 26 for expected read excepted.

Page 30 Line 34 for prave read prae.

